

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD COOLEY,

Plaintiff,

Case No. 14-cv-10529

Hon. Matthew F. Leitman

v.

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF #21),  
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT  
(ECF #20), AND DENYING PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT (ECF #19)**

On February 27, 2015, Magistrate Judge Michael J. Hluchaniuk issued a Report and Recommendation ("R&R") recommending that the Court deny Plaintiff Richard Cooley's Motion for Summary Judgment (ECF #19) and grant the Defendant Commissioner of Social Security's Motion for Summary Judgment (ECF #20). (*See* ECF #21.) The R&R stated that the parties could object to and seek review of the recommendation within fourteen days. (*See id.* at 24, Pg. ID 536.)

Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*,

829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's February 27, 2015, Report and Recommendation (ECF #21) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that Plaintiff's October 16, 2014, motion for summary judgment (ECF #19) is **DENIED**, and that Defendant's November 10, 2014, motion for summary judgment (ECF #20) is **GRANTED**.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 17, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 17, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113